UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF PENNSYLVANIA

IN RE: JOHN R. EVANS, : Chapter 13

:

Debtor : Bky. No. 19-10309 ELF

ORDER

AND NOW, upon consideration of the Debtor(s)' Application to Employ Auctioneer ("the Application") (Doc. # 21),

It is hereby **ORDERED** that:

- 1. The Application is **DENIED** on the ground that it is not necessary for a chapter 13 debtor to obtain court approval to retain a professional. <u>See</u> 11 U.S.C. §327(a) (referring to the trustee, not the debtor)
- 2. This Order is **WITHOUT PREJUDICE** to the auctioneer's right to obtain compensation from the proceeds of the auction already authorized, (see Doc. # 25), as an administrative expense.
- 3. If such compensation is requested, the auctioneer shall file an application with this court in accordance with 11 U.S.C. §330 and <u>In re Busy Beaver Building Centers</u>, Inc., 19 F. 3d. 833 (3d Cir. 1994).

Date: April 1, 2019

ERIC L. FRANK U.S. BANKRUPTCY JUDGE